

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James L. Chappuis

Confirmation No.: 3417

Serial No.: 10/725,683

Group Art Unit: 3733

Filed: December 2, 2003

Examiner: Ramana, Anuradha

Docket No.: 050313-1130

For: **FLEXIBLE TAP APPARATUS AND METHOD OF USE**

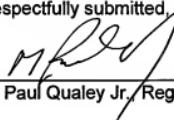
**STATEMENT ESTABLISHING UNINTENTIONAL DELAY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

An Examiner from Group Art Unit 373 telephoned the Undersigned in July, 2008 to inquire as to whether or not a Response would be filed to an Office Action mailed in December, 2007 in the instant case. The undersigned explained that no such Office Action had been received at the undersigned's law firm, Thomas, Kayden, Horstemeyer & Risley, L.L.P. (hereinafter "TKHR"). The undersigned searched and examined the file jacket to confirm that no Office Action had been received. In addition, the undersigned confirmed that no Office Action had been received by speaking with the docketing supervisor at TKHR. The docketing supervisor printed off the enclosed docketing report showing all entries received and mailed for the instant case. The Non-Final Office Action, which was received in TKHR's docketing department on September 14, 2007, was the last correspondence received from the U.S.P.T.O. prior to the above-referenced telephone call.

Respectfully submitted,

  
M. Paul Qualey Jr., Reg. No. 43,024

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Case Number: 050313-1130

Family Number: 050313-1130

Client: 50313

CHAPPUIS, DR. JAMES L.

Client Reference:

Disclosure Status: Filed

Disclosure Date:

Title: FLEXIBLE TAP APPARATUS AND METHOD OF USE

Assignee:

Assignee: 2:

Attorneys: SAH MPQ

Remarks:

**Inventors:**

Inventor Name

CHAPPUIS, James L.

**Priority Information:**

Country	Case Type	Application No.	Filing Date
United States of America		60/430,247	02-Dec-2002

**Country Applications:**

Case Number	Ctry	Sub Case	Case Type	Status	Application No.	Filing Date	Patent No.	Issue Date
050313-1130	US		ORD	Published	10/725,683	02-Dec-2003		
050313-8120	US		PRO	Inactive	60/430,247	02-Dec-2002		

Created by: R5 Conversion 04-Dec-2003 12:00 AM Updated by: LMM 27-Jul-2006 12:00 AM

Case Number: 050313-1130	Country: US	United States of America	Sub Case:
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Client Name: CHAPPUIS, DR. JAMES L.	Family Number: 050313-1130
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Old Case Number:	Client Reference:
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Case Type: ORD	Application Status: Published
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Status Date:	
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Application Title: FLEXIBLE TAP APPARATUS AND METHOD OF USE	
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Application No.: 10/725,683	Filing Date: 02-Dec-2003	Confirmation No.:
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Publication No.: 04-0122432	Publication Date: 24-Jun-2004	
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Patent No.:	Issue Date:
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Parent App. No.: 60/430,247	Parent Filing Date: 02-Dec-2002
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Parent Patent No.:	Parent Issue Date:
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Expiration Date:	PatentTermAdj: Days
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Tax Start Date:	Tax Schedule: SE
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**Assignee Name:**

Agent Name:	Agent Reference:
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**Remarks:**

1. Return receipt postcard w/ unofficial serial number rcd 12/12/03.
2. Notice of publication, rcd 7/12/04.
3. 3mo office action mailed 10/06/05, rcd 10/10/05. (filed 1/6/06)
4. Final Office Action mailed 3/24/06, rcd 3/27/06.(RCE resp filed 6/26/06)
5. Final 3mo office action mailed 10/03/06, rcd 10/05/06.(resp filed 12/4/06)
6. Advisory Action mailed 12/21/06, rcd 12/27/06.(RCE 2/2/07)
7. 3mo office action mailed 4/10/07, rcd 4/13/07.(resp filed 6/26/07)
8. 3mo. Office Action mailed 9/12/07, rcd 9/14/07.(resp filed 11/26/07)
9. Notice of abandonment mailed 9/2/08.

**Designated Countries:**

**Actions:**

Action Due	Due Date	Indicator	Action Taken	Responsible
DECLARATION OF PWR OF ATTRY	02-Dec-2003	Due Date	02-Dec-2003	
IDS IN 2 MO	02-Jan-2004	Reminder		
IDS IN 1 MO	02-Feb-2004	Reminder		
IDS DUE	02-Mar-2004	Due Date		
PUBLICATION DUE IN 2M	02-Apr-2004	Reminder	12-Jul-2004	
PUBLICATION DUE IN 1M	02-May-2004	Reminder	12-Jul-2004	
PUBLICATION DUE	02-Jun-2004	Due Date	12-Jul-2004	
Application Status Check	02-Jun-2005	Due Date	10-Oct-2005	
RESP TO OFFACT DUE IN 2MON	06-Nov-2005	Reminder	06-Jan-2006	
RESP TO OFFACT DUE IN 1MO	06-Dec-2005	Reminder	06-Jan-2006	
RESP TO OFFICE ACTION DUE	06-Jan-2006	Due Date	06-Jan-2006	
1ST EXT TO RESP TO OFFACT DUE	06-Feb-2006	Due Date	06-Jan-2006	
2ND EXT TO RESP TO OFFACT DUE	06-Mar-2006	Due Date	06-Jan-2006	

Case Number:	050313-1130	Country:	US	United States of America	Sub Case:
3RD EXT TO RESP TO OFFACT DUE		06-Apr-2006	Final	06-Jan-2006	
1 MON RESP TO FINAL ACTION		24-Apr-2006	Reminder	26-Jun-2006	
2 MON RESP TO FINAL ACTION		24-May-2006	Due Date	26-Jun-2006	
3 MON RESP/N.O.APPEAL		24-Jun-2006	Due Date	26-Jun-2006	
RCE FILED		26-Jun-2006	Due Date	26-Jun-2006	
CHK FOR EXAMINER'S RPT		06-Jul-2006	Due Date	24-Mar-2006	
1M EXT RESP TO FINAL/NOA		24-Jul-2006	Due Date	26-Jun-2006	
2M EXT RESP TO FINAL/NOA		24-Aug-2006	Due Date	26-Jun-2006	
3M EXT RESP TO FINAL/NOA		24-Sep-2006	Final	26-Jun-2006	
1 MON RESP TO FINAL ACTION		03-Nov-2006	Reminder	04-Dec-2006	
2 MON RESP TO FINAL ACTION		03-Dec-2006	Due Date	04-Dec-2006	
CHK FOR EXAMINER'S RPT		26-Dec-2006	Due Date	05-Oct-2006	
RESP TO ADVISORY ACTION		03-Jan-2007	Due Date	02-Feb-2007	
PETITION FOR EXTENSION OF TIME		02-Feb-2007	Due Date	02-Feb-2007	
RCE FILED		02-Feb-2007	Due Date	02-Feb-2007	
1M EXT RESP TO ADV ACT/NOA		03-Feb-2007	Due Date	02-Feb-2007	
2M EXT RESP TO ADV ACT/NOA		03-Mar-2007	Due Date	02-Feb-2007	
CHK FOR EXAMINER'S RPT		02-Apr-2007	Due Date	13-Apr-2007	
3M EXT RESP TO ADV ACT/NOA		03-Apr-2007	Final	02-Feb-2007	
RESP TO OFFACT DUE IN 2MON		10-May-2007	Reminder	26-Jun-2007	
RESP TO OFFACT DUE IN 1MO		10-Jun-2007	Reminder	26-Jun-2007	
RESP TO OFFICE ACTION DUE		10-Jul-2007	Due Date	26-Jun-2007	
1ST EXT TO RESP TO OFFACT DUE		10-Aug-2007	Due Date	26-Jun-2007	
2ND EXT TO RESP TO OFFACT DUE		10-Sep-2007	Due Date	26-Jun-2007	
3RD EXT TO RESP TO OFFACT DUE		10-Oct-2007	Final	26-Jun-2007	
RESP TO OFFACT DUE IN 2MON		12-Oct-2007	Reminder	26-Nov-2007	
RESP TO OFFACT DUE IN 1MO		12-Nov-2007	Reminder	26-Nov-2007	
RESP TO OFFICE ACTION DUE		12-Dec-2007	Due Date	26-Nov-2007	
CHK FOR EXAMINER'S RPT		26-Dec-2007	Due Date	12-Sep-2007	
1ST EXT TO RESP TO OFFACT DUE		12-Jan-2008	Due Date	26-Nov-2007	
2ND EXT TO RESP TO OFFACT DUE		12-Feb-2008	Due Date	26-Nov-2007	
3RD EXT TO RESP TO OFFACT DUE		12-Mar-2008	Final	26-Nov-2007	
CHK FOR EXAMINER'S RPT		26-May-2008	Due Date		
PETITION TO REVIVE IN 1M		02-Oct-2008	Due Date		
PETITION TO REVIVE DUE		02-Nov-2008	Final		

Case Number: 050313-1130

Country: US

United States of America

Sub Case:

**Inventors:****Inventor Name**

CHAPPUIS, James L.

**Priority Information:****Country**

United States of America

**Case Type**

60/430,247

**Filing Date**

02-Dec-2002

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